



Attorney Docket No. 59150-8010.US00

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Yasufumi Kaneda

SERIAL No.: 10/824,757

FILED: April 14, 2004

FOR: VIRUS ENVELOPE VECTOR FOR GENE TRANSFER

EXAMINER: Whiteman

ART UNIT: 1635

CONFIRMATION No.: 7091

**Declaration Under 37 C.F.R. § 1.132**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Yasufumi Kaneda, declare and affirm as follows:

1. I am the inventor of the subject matter described and claimed in U.S. Patent Application Serial No. 10/824,757, filed April 14, 2004, entitled VIRUS ENVELOPE VECTOR FOR GENE TRANSFER.

2. I am co-Inventor of U.S. Patent No. 6,432,925 filed April 16, 1998 and issued August 13, 2002, entitled RNA CANCER VACCINE AND METHODS FOR ITS USE, hereafter "the '925" patent. The patent includes as a co-Inventor Dave S.B. Hoon.

3. The '925 patent discloses, but does not claim, a viral liposome vector comprising fused HIV, which contains a viral envelope, with nonviral reagents for delivery of nucleic acid encoding a tumor-associated antigen into a tumor or an organ (see Abstract).

4. I hereby declare and affirm that I conceived the subject matter disclosed in the patent and relied upon in the rejection as described in point 3, above.



Attorney Docket No. 59150-8010

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Yasufumi Kaneda

SERIAL No.: 09/937,839

FILED: February 21, 2002

FOR: VIRUS ENVELOPE VECTOR FOR GENE  
TRANSFER

EXAMINER: Whiteman

ART UNIT: 1635

CONFIRMATION No.: 7050

**Declaration Under 37 CFR §1.132**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Yasufumi Kaneda, declare and affirm as follows:

1. I am the inventor of the subject matter described and claimed in U.S. Patent Application Serial No. 09/937,839, filed February 21, 2002, entitled VIRUS ENVELOPE VECTOR FOR GENE TRANSFER.

2. I am co-inventor of U.S. Patent No. 6,472,375 filed August 31, 1998 and issued October 29, 2002, entitled "DNA Vaccine and Methods for Its Use", hereafter "the '375 patent." The patent includes as a co-inventor Dave S.B. Hoon.

3. The '375 patent discloses, but does not claim, an immunization protocol including "[t]he HVJ was treated with detergent, heat and UV light inactivating any pathogenic effects in the host" (Col. 9, lines 15-16).